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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,369	07/03/2003	Karim-Thomas Taghizadeh-Kaschani	WMP-IFT-962	4841

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LERNER GREENBERG STEMER LLP  
P O BOX 2480  
HOLLYWOOD, FL 33022-2480

EXAMINER
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WILLIAMS, LAWRENCE B

ART UNIT	PAPER NUMBER
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2611

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/10/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/613,369

Applicant(s)

TAGHIZADEH-KASCHANI, KARIM-THOMAS

Examiner

Lawrence B. Williams

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities:
  - a.) Page 19, line 4 recites “ the transmission apparatus K1”. The examiner assumes applicant meant to make reference to “the transmission apparatus 11” in Fig. 1.
  - b.) Page 20, line 9 recites, “ this signal pulse RS”. The examiner assumes applicant meant to make reference to “the signal pulse PS” in Fig. 2.
  - c.) Page 22, beginning with line 10 makes reference to Fig. 3 and a first and second pulse sequence PS1, PS2, respectively, while Fig. 3 displays these pulses labeled as PF1, PF2, respectively.
  - d.) On page 37, line 1, the examiner suggest applicant replace “Schmitt trigger SD4” with Schmitt trigger ST4.
  - e.) The examiner suggest applicant resubmit page 42 of the specification.Appropriate correction is required.
2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

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4. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term “stipulated” in claims 1, 2, 14, 20, 21 is used by the claim to mean “predetermined”, while the accepted meaning is “ 1. to make or express demand; 2. to require as an essential condition in making an agreement; 3. to promise, in making an agreement.” The term is indefinite because the specification does not clearly redefine the term.

Claims 23-13, 15-19, 22-24 are rejected based upon their dependency upon claims 1, and 14.

6. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation:

if an interference signal is detected on **one of the first and second channels**,  
retransmitting the first pulse sequence; and

if an interference signal is detected on **one of the second and first channels**,  
retransmitting the second pulse sequence. As presented, the limitation is vague as it is unclear

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when the first or second pulse sequence will be transmitted since they are both transmitted if an interference signal is detected on either of the two channels. The examiner suggests applicant rewrite the claim to particularly point out and distinctly claim the invention.

7. Claims 20-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 20 cites a preamble, which includes the phrase “wherein at least one of the following is true”. This phrase renders the claim indefinite as it fails to state exactly what applicant is attempting to claim as the subject matter. The examiner suggests applicant rewrite the claim to particularly point out and distinctly claim the invention.

Claim 21 cites a preamble, which includes the phrase “wherein at least one of the following is true”. This phrase renders the claim indefinite as it fails to state exactly what applicant is attempting to claim as the subject matter. The examiner suggests applicant rewrite the claim to particularly point out and distinctly claim the invention.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a.) Vlasov et al. discloses in US 2005/0163247 A1 Isolation Barrier For Interfacing A Line Side Device To A System Side Device.

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b.) Feldtkeller discloses in US 2006/0269002 A1 Method For Data Transmission Via A Data Transmission Path With Inductive Transformers, And A Data Transmission Apparatus.

c.) Gable et al. discloses in US 4,234,952 Conflict Resolution By Retransmission Delay On Shared Communication Medium.

d.) Metcalfe et al. discloses in US 4063,220 Multipoint Data Communication System With Collision Detection.

e.) Bonvallet et al. discloses in US Patent 5,450,611 Fast Channel Access Protocol For A Two-Way Communication System.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence B Williams whose telephone number is 571-272-3037. The examiner can normally be reached on Monday-Friday (8:00-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ghayour Mohammad can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Lawrence B. Williams

A handwritten signature in black ink, appearing to read 'Lawrence B. Williams', written over the printed name.

lbw

January 8, 2007